
A BILL FOR AN ACT

RELATING TO PRESERVING CORAL REEFS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that oxybenzone, a common
2 sunscreen ingredient, has detrimental effects on coral reefs.
3 The World Conservation Congress of the International Union for
4 Conservation of Nature met in September 2016 in Honolulu. The
5 Congress disclosed that 2015 research led by a University of
6 Hawai'i professor implicated oxybenzone in coral larvae
7 deformity, bleaching, and DNA damage that weakens coral systems'
8 adaptability to climate change. The threat is particularly
9 acute in Hawaiian ocean waters where coral bleaching is
10 occurring at a historic rate never previously recorded.

11 The legislature further finds that there are reasonable
12 alternatives to oxybenzone-based sunscreens, such as zinc oxide
13 and titanium oxide, that allow beach users to enjoy the outdoors
14 without compromising sun protection.

15 The findings of the World Conservation Congress of the
16 International Union for Conservation of Nature are in line with
17 the senate's focus on "Aloha Honua - Climate Change and Energy".



1 Aloha Honua seeks to protect and preserve Hawai'i's natural
2 resources by exploring ways to improve agricultural practices
3 and mitigate climate change impacts. Aloha Honua is a
4 commitment to supporting the preservation of nature's unique
5 geographic features, including coral reefs, coastlines, and
6 watersheds. Aloha Honua also encourages the use of innovative
7 technologies to combat invasive species, address biosecurity
8 risks, conserve the State's water resources and coral reefs,
9 address changing sea levels, and protect the State's fragile
10 marine ecosystem.

11 The purpose of this Act is to protect Hawai'i's coral reefs
12 by:

- 13 (1) Prohibiting the use of sunscreens and cosmetics
14 containing oxybenzone or other chemicals deemed
15 harmful to coral reefs by the department of land and
16 natural resources within marine life conservation
17 districts;
- 18 (2) Requiring all commercial use permittees operating in
19 marine life conservation districts to inform their
20 customers that the use of sunscreen, sunblock, or
21 cosmetics containing oxybenzone or other chemicals



1 deemed harmful to coral reefs by the department is
2 prohibited in marine life conservation districts;

3 (3) Requiring certain counties to prohibit the commercial
4 sale of sunscreen, sunblock, or cosmetics containing
5 oxybenzone or other chemicals deemed harmful to coral
6 reefs by the department in concessions that serve
7 nature preserves and marine life conservation
8 districts; and

9 (4) Requiring the department of land and natural resources
10 to propose rules prohibiting the use of sunscreen,
11 sunblock, or cosmetics containing oxybenzone or other
12 chemicals deemed harmful to coral reefs by the
13 department in any area as needed to conserve state
14 marine resources.

15 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
16 by adding a new section to be appropriately designated and to
17 read as follows:

18 "§46- Concessions; oxybenzone; sunscreen and cosmetics
19 restrictions. Counties that issue commercial scuba and
20 snorkeling permits or control public access to nature preserves
21 and marine life conservation districts used for scuba diving or



1 snorkeling shall prohibit commercial sales of sunscreen,
2 sunblock, or cosmetics containing oxybenzone or other chemicals
3 deemed harmful to coral reefs by the department of land and
4 natural resources in concessions that serve nature preserves and
5 marine life conservation districts.

6 For purposes of this section, "oxybenzone" includes
7 benzophenone-3 and 2-hydroxy-4-methoxyphenyl phenylmethanone or
8 other chemicals deemed harmful to coral reefs by the department
9 of land and natural resources."

10 SECTION 3. Chapter 187A, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§187A- Oxybenzone; sunscreen and cosmetics
14 restrictions. (a) No person shall use or apply sunscreen,
15 sunblock, or cosmetics containing any oxybenzone or other
16 chemicals deemed harmful to coral reefs by the department within
17 a marine life conservation district, unless the sunscreen,
18 sunblock, or cosmetic is a prescription drug as defined in
19 section 328-112.

20 (b) The department shall require all commercial use
21 permittees operating in marine life conservation districts to



1 inform all of their customers that the use of sunscreen,
2 sunblock, or cosmetics containing oxybenzone or other chemicals
3 deemed harmful to coral reefs by the department are prohibited
4 in marine life conservation districts.

5 (c) For purposes of this section, "oxybenzone" includes
6 benzophenone-3 and 2-hydroxy-4-methoxyphenyl phenylmethanone or
7 other chemicals deemed harmful to coral reefs by the
8 department."

9 SECTION 4. The department of land and natural resources
10 may adopt rules pertaining to chapter 190, Hawaii Revised
11 Statutes, which prohibit the use of sunscreen, sunblock, or
12 cosmetics containing oxybenzone or other chemicals deemed
13 harmful to coral reefs by the department in any area as needed
14 to conserve state marine resources.

15 SECTION 5. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 6. New statutory material is underscored.

19 SECTION 7. This Act shall take effect on December 24,
20 2088.



Report Title:

Sunscreen; Oxybenzone; Beaches; Ocean

Description:

Prohibits use and sale of nonprescription sunscreen, sunblock, or cosmetics containing oxybenzone or other chemicals deemed harmful to coral reefs by the Department of Land and Natural Resources within a marine life conservation district. Requires commercial permittees to inform all customers of the prohibition. Authorizes Department of Land and Natural Resources to propose rules for other areas to conserve state marine resources. (SB1150 HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

